

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE M/V MSC FLAMINIA

CIVIL ACTION NO.: 12 Civ. 8892 (GBD) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the telephone conference (the “Conference”) held today, October 10, 2023, the Court orders as follows:

1. By **October 20, 2023**, Stolt Tank Containers B.V. and Stolt Nielsen USA, Inc. (together, “Stolt”) shall file a letter, no longer than three (3) pages, stating:
 - a. Whether Stolt requires any further information from Conti 11. Container Schiffahrts-GMBH & Co. KG MSC “FLAMINIA” (“Conti”), NSB Niederelbe Schiffahrtsgesellschaft MBH & Co. KG, or MSC Mediterranean Shipping Company, S.A. (“MSC”) regarding the proof and dates of payment by these parties’ underwriters (the “Payments”);
 - b. Whether Stolt intends to seek a Fed. R. Civ. P. 30(b)(6) deposition of Conti on topics concerning the Payments; and
 - c. Whether Stolt intends to retain a forensic accounting expert to opine on the Payments and, if so, the date by which Stolt by which will serve the disclosures required by Fed. R. Civ. P. 26(a)(2);
2. The briefing of MSC’s motion regarding the entitlement to, and the law applicable to determining the amount of, prejudgment interest (the “Motion”) shall proceed as follows:

- a. By **November 3, 2023**, MSC—and any other party that may choose to join—
shall file the Motion;
 - b. By **December 1, 2023**, Stolt shall file an opposition to the Motion.
 - c. By **December 15, 2023**, MSC and any other movants shall file their reply
brief(s), if any.
3. A telephone conference is scheduled for **Tuesday, November 14, 2023 at 12:00 pm**
on the Court's conference line. The parties are directed to call: (866) 390-1828; access
code: 380-9799, at the scheduled time. By **November 10, 2023**, the parties shall file
a joint letter raising any issues requiring the Court's attention.
4. By **October 12, 2023**, the parties shall order a transcript of the Conference.

Dated: New York, New York
October 10, 2023

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge